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Ext (1)

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (Optional) 113.410US
In re Application of Subramanian et al.		
Application Number: 09/373,333		Filed: August 12, 1999
For DNA Shuffling to Produce Herbicide Selective Crops		
Group Art Unit 1655	Examiner D. Johannsen	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above-identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

<input checked="" type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$ 110
<input type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$ 400
<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$ 920
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$1440
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$1960

☐ Applicant is a small entity under 37 CFR 1.9 and 1.27, therefore the fee amount shown above is reduced by one-half, and the resulting fee is: \$ \_\_\_\_\_.

A small entity statement under 37 CFR 1.27:

☐ Is enclosed.

☐ has already been filed in this application.

☐ A check in the amount of the fee is enclosed.

☒ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

☒ The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-0990. *I have enclosed a duplicate copy of this sheet.*

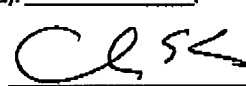
I am the ☐ assignee of record of the entire interest.

☐ applicant.

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a): \_\_\_\_\_

\_\_\_\_\_  
July 2, 2002  
Date

  
\_\_\_\_\_  
Signature

Christopher M. Holman 40.021  
Typed or printed name and Reg. No.

11/14/2002 CDESSAU 00000001 500990 09373333

01 FC:1251

110.00 CH

**MAXYGEN**

Intellectual Property  
515 Galveston Drive  
Redwood City, California 94063  
USA

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**FACSIMILE COVER SHEET**

Date: October 31, 2002

Page(s): 28

Fax No: (703) 746-5064

To: Examiner Diana Johannsen  
United States Patent and Trademark Office

From: Christopher M. Holman

RE: U.S. Patent Application No. 09/373,333

Attached please find the following documents relating to the subject patent application:

1. Additional Copy of Previously Transmitted Correspondence;
2. Communication Result Report (showing successful transmission);
3. Copy of Transmittal Form;
4. Copy of Petition for Extension of Time; and
5. Copy of Amendment.

Please contact Diana Schaller at (650) 298-5864 if you have any problems receiving this transmission.

OCT-31-2002 12:11

FROM-MAXYGEN

6502985446

T-681 P.002

F-320

PATENT  
Atty. Docket No: 0113.410US  
USSN 09/373,333

I hereby certify that this correspondence is being facsimile transmitted to the  
U.S. Patent and Trademark Office (Fax No. (703)746-5064)  
on October 31, 2002  
By: DIANA M. SCHALLER  
Signature: Diane M. Schaller

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Subramanian et al.

Application No.: 09/373,333

Filed: August 12, 1999

For: DNA Shuffling to Produce Herbicide  
Selective Crops

Examiner: D. Johannsen

Art Unit: 1655

**ADDITIONAL COPY OF  
PREVIOUSLY TRANSMITTED  
CORRESPONDENCE**

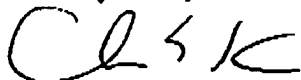
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

On October 31, 2002, the undersigned was informed by the Examiner that she had not received a response to the Office Action mailed March 18, 2002 in connection with the above-referenced application. The Examiner was informed that a response and certificate of transmission was filed by telefacsimile on July 2, 2002. The Examiner asked that Applicant resubmit an additional copy of the previously transmitted correspondence to her direct telefacsimile number. A copy of the previously transmitted correspondence, including a Communication Result Report showing successful transmission on July 2, 2002, a transmittal form, petition for extension of time, and the amendment, are submitted herewith.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-0990.

Respectfully submitted,



Christopher M. Holman  
Reg. No. 40,021

\* \* \* COMMUNICATION RESULT REPORT ( JUL. 2. 2002 3:49PM ) \* \* \*

TTI

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
6846 MEMORY TX		917038729306	OK	25/25

REASON FOR ERROR  
 E-1) HANG UP OR LINE FAIL  
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(Modified) PTO/SB/21 (6-98)  
 Approved for use through 09/30/2000. OMB 0651-0031  
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

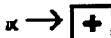
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/373,333	
	Filing Date	August 12, 1999	
	First Named Inventor	Subramanian	
	Group Art Unit	1655	
	Examiner Name	D. Johannsen	
Total Number of Pages in This Submission	25	Attorney Docket Number	113.410US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/80) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
		Copy of IDS IDS originally

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Approved for  
Patent and Trademark Officethrough 09/30/2000. OMB 0651-0031  
U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/373,333	
	Filing Date	August 12, 1999	
	First Named Inventor	Subramanian	
	Group Art Unit	1655	
	Examiner Name	D. Johannsen	
Total Number of Pages in This Submission	25	Attorney Docket Number	113.410US

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Copy of IDS IDS originally filed April 5, 2002
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Authorization to Charge Deposit Account  
Please charge Deposit Account No. 50-0883 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Christopher M. Holman Reg. No.40,021
Signature	
Date	July 2, 2002

## CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office (Fax No. (703)872-9306) on this date: July 2, 2002			
Typed or printed name	Christopher M. Holman		
Signature		Date	July 2, 2002